

REMARKS

This paper responds to the Office Action mailed on February 9, 2005.

Claims 1, 5, 6, 9, 15, 16, 20, 23, 26, 29. Claims 1-47 remain pending in this application.

Information Disclosure Statement

Applicant thanks the Examiner for the return of the initialed 1449 Form from the Information Disclosure Statement submitted on February 5, 2004. However, Applicant notes that the first reference on each of pages 2 and 3 of the 1449 Form was not initialed: U.S. Patent 5,858,877, and the article to Foster "High Rate Low-Temperature Selective Tungsten". A copy of pages 2 and 3 are included with the non-initialed entries highlighted. Applicant respectfully requests that a completely-initialed copy of this 1449 Form be returned to Applicant's Representatives to indicate that all of the cited references have been considered by the Examiner.

§102 Rejection of the Claims

Claims 1-4, 7, 9, and 10 were rejected under 35 U.S.C. § 102(b) for anticipation by Prince (U.S. 5,431,775).

Independent claim 1 is amended. As amended, claim 1 recites, among other things, "an optical fiber in the hole, the optical fiber having a cladding layer and a core, the core including a core hole extending along a length of the core, the optical fiber also having a first end and a second end". Applicant is unable to find in Prince "an optical fiber in the hole, the optical fiber having a cladding layer and a core, the core including a core hole extending along a length of the core, the optical fiber also having a first end and a second end". Accordingly, Applicant requests that the rejection be reconsidered and withdrawn, and that claim 1 and dependent claims 2-4, and 8 be allowed.

Independent claim 9 is amended. As amended, claim 9 recites, among other things, "an optical fiber in the hole, the optical fiber having a cladding layer and a core, the core including a core hole extending along a length of the core, the optical fiber also having a first end and a second end". Applicant is unable to find in Prince "an optical fiber in the hole, the optical fiber having a cladding layer and a core, the core including a core hole extending along a length of the core, the optical fiber also having a first end and a second end". Accordingly, Applicant requests

that the rejection be reconsidered and withdrawn, and that claim 9 and dependent claim 10 be allowed.

§103 Rejection of the Claims

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince as applied to claims 1-4, 7, 9, and 10 above, and further in view of Brück et al. (U.S. 5,483,614).

Claim 8 depends from independent claim 1 and recites the things in claim 1. Thus, Applicant also believes that claim 8 is patentable over Prince and Brück et al. for reasons at least similar to the reasons discussed above regarding claim 1, plus the things recited in claim 8. Accordingly, Applicant requests that the rejection of claim 8 be reconsidered and withdrawn, and that claim 8 be allowed.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince as applied to claims 1-4, 7, 9, and 10 above, and further in view of Beales et al. (U.S. 4,452,508).

Claim 12 depends from independent claim 9 and recites the things in claim 9. Thus, Applicant also believes that claim 12 is patentable over Prince and Beales et al. for reasons at least similar to the reasons discussed above regarding claim 9, plus the things recited in claim 12. Accordingly, Applicant requests that the rejection of claim 12 be reconsidered and withdrawn, and that claim 12 be allowed.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince as applied to claims 1-4, 7, 9, and 10 above, and further in view of the comments set forth in the Office Action.

Claim 12 depends from independent claim 9 and recites the things in claim 9. Thus, Applicant also believes that claim 12 is patentable over Prince and the comments set forth in the Office Action for reasons at least similar to the reasons discussed above regarding claim 9, plus the things recited in claim 12. Accordingly, Applicant requests that the rejection of claim 12 be reconsidered and withdrawn, and that claim 12 be allowed.

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince as applied to claims 1-4, 7, 9, and 10 above, and further in view of Kubota (U.S. 6,087,899).

Claim 13 depends from independent claim 9 and recites the things in claim 9. Thus, Applicant also believes that claim 13 is patentable over Prince and Kubota for reasons at least similar to the reasons discussed above regarding claim 9, plus the things recited in claim 13. Accordingly, Applicant requests that the rejection of claim 13 be reconsidered and withdrawn, and that claim 13 be allowed.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Prince as applied to claims 1-4, 7, 9, and 10 above, and further in view of Lytel et al. (U.S. 5,039,189).

Claim 14 depends from independent claim 9 and recites the things in claim 9. Thus, Applicant also believes that claim 14 is patentable over Prince and Lytel et al. for reasons at least similar to the reasons discussed above regarding claim 9, plus the things recited in claim 14. Accordingly, Applicant requests that the rejection of claim 14 be reconsidered and withdrawn, and that claim 14 be allowed.

Allowable Subject Matter

Claims 5, 6, and 15 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5, 6, and 15 are rewritten in independent claims as suggested by the Office Action. Thus, claims 5, 6, and 15 are now in condition for allowance.

Claims 34-40 were allowed. Applicant acknowledges the allowance of claims 34-40.

Withdrawn claims

Since generic claim 1 is now believed to be allowable, Applicant requests the withdrawn claims be considered and allowed. Further, Applicant believes that at least claim 34 is a linking claim between the elected species 1 and the withdrawn claims of species 2. Since claim 34 is allowed, Applicant requests that the withdrawn claims of species 2 be considered and allowed.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

9 May 2005

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of May, 2005.

Tina Kohut

Name



Signature